REMARKS

By this amendment, claims 1-10, 14-19, 21-25, 29-39, 43-53 and 57 are pending, in which no claim is canceled, currently amended, or newly added. No new matter is introduced.

The Office Action mailed May 31, 2006 rejected claims 1-19, 21-25, 29-39, 43-53 and 57 as obvious under 35 U.S.C. § 103 based on *Baum et al.* (US 5,577,105) in view of *Schroeder et al.* (US 6,327,626) and in further view of *Baras et al.* ("Fast Asymmetric Internet Over Wireless Satellite-Terrestrial Networks," November 3, 1997).

As an initial matter, the Office Action, on page 2 (item 4), omits claims 14, 29, 43 and 57 from the statement of rejection; however, on page 7, the Office Action does mention that the claims are rejected over the combination of *Baum et al.*, *Schroeder et al.*, and *Baras et al.* Therefore, Applicants assume that the Office Action intends to reject claims 14, 29, 43 and 57 over these three references.

Applicants respectfully traverse the outstanding rejections on the merits, as next discussed.

The Office Action now introduces the new references of *Baum et al.* and *Schroeder et al.* to combine with *Baras et al.* in support of the obviousness rejection. Applicants respectfully traverse the rejection, as next explained.

For example, claim 1 recites "receiving one or more spoofing parameters and **a spoofing selection parameter for specifying a rule for applying the spoofing parameters**, wherein the **spoofing parameters include information for specifying whether spoofing is enabled** for a selected one of the connections and **priority information specifying priority treatment of the selected connection**."

For a supposed teaching of the above features, the Examiner refers to col. 5, lines 1-23 and col. 31, lines 51-57 for "receiving one or more spoofing parameters and **a spoofing selection parameter for specifying a rule for applying the spoofing parameters**" and cites to col. 5, lines 1-38 for "wherein the **spoofing parameters include information for specifying whether spoofing is enabled** for a selected one of the connections and **priority information specifying priority treatment of the selected connection**." Upon careful study of *Baum et al.*, Applicants do not find any support for the claimed

features within these cited passages (or any where within the entirety of the reference). The cited passages of col. 5, lines 1-38 and col. 31, lines 51-57 state the following (Emphasis Added):

> When the control signals are used for customized call configuration, the element of the network access server that will typically be configured according to the protocol parameters is a modem, and, in the large scale implementation of the invention, a bank of modems (perhaps 48 in all, but one per call). Each modem is continually reconfigured as calls come in according to the particular communications protocol of the incoming call. **The modems are configured to the communications protocol that is compatible with the communications protocol of the call originator for the incoming calls, regardless of what the protocols may be.** In this invention, the protocol parameters will typically be the modulation scheme, synchronization scheme, error correction technique, data compression, transmission rate, or other communication parameter that is used by the call originator. **Other protocol parameters may include protocol handling techniques, such as framing, filtering, or forwarding. Still other protocol parameters may be associated with high speed asynchronous transmission, or protocol spoofing (discussed below).** Thus, when the network access server is configured according to the protocol parameter, it is configured in a manner to match (or at least be compatible with) the communications protocol of the call originator. [col. 5, lines 1-38]
>
> Since the particular protocol for completing calls varies according to the type of call, modems in the network access server **may need to issue different protocol spoofing signals**. Thus, the extracted control signal, decoded and converted into digital data such as a DNIS digit, can be associated with a particular protocol spoofing routine depending on the identity or classification of the call originator. [col. 31, lines 51-57]

The above passages merely describe that protocol parameters may include protocol spoofing, but does not go so far as to describe the claimed spoofing selection parameter "for specifying a rule for applying the spoofing parameters." At best, *Baum et al.* describes (col. 31, lines 42-50) that FIG. 17 describes a technique known as "spoofing", wherein the network access server modem (e.g., modem 447) deceives the transmitting modem from the call originator (e.g., modem M2) by prematurely sending a signal, for example, an acknowledgement signal, to the call originator modem to cause the call originator to commence data transfer earlier in time than it otherwise would. The call originator modem receives the acknowledgement signal early, thereby advancing the transmission of the data (such as a credit card request). The technique of FIG. 17 is particularly suitable for credit card transactions, but is applicable to other types of transmissions. Therefore, this process does not need or make use of rules for applying spoofing parameters.

As for the features of "wherein the **spoofing parameters include information for specifying whether spoofing is enabled** for a selected one of the connections and **priority information specifying priority treatment of the selected connection**," the cited passage only states in generalities that

different protocol spoofing signals are used, and is silent on "**spoofing parameters include information for specifying whether spoofing is enabled** for a selected one of the connections and **priority information**." It is not understood why the Examiner has elected to ignore these specific features. This is contrary to settled law.

The secondary references of *Schroeder et al.* and *Baras et al.* do not fill in the gaps of *Baum et al.*

Even assuming the three references were properly combined based on some teaching or suggestion in the references, and assuming the modifications proposed in the Office Action were justified by additional teachings or suggestions found in the references, even the combination does not render the claimed invention obvious. Specifically, none the references taken alone, or in combination, teaches or suggests "receiving one or more spoofing parameters and **a spoofing selection parameter for specifying a rule for applying the spoofing parameters**, wherein the **spoofing parameters include information for specifying whether spoofing is enabled** for a selected one of the connections and **priority information specifying priority treatment of the selected connection**."

Further, the Examiner is reminded that while a reference in a § 102 anticipation may be non-analogous, a base reference for a § 103 reference must be analogous, that is it must relate to the problems and causes of the present invention, ***Corning Glass Works v. Sumitomo Electric*** (CAFC, 1989) 9 USPQ2nd 1962. *Baum et al.* provides an approach for method of **processing incoming digital telephone calls** from remotely located call originators which are destined for receipt by a host computer system. The spoofing mechanism of *Baum et al.* pertains to acknowledgement signaling for modems. Applicants respectfully submit that one of ordinary skill in the art would not look to *Baum et al.* to address the problem of the claimed invention; accordingly, *Baum et al.* is non-analogous art.

In view of the foregoing, Applicants submit that the obviousness rejection is improper and the indication that the pending claims 1-10, 14-19, 21-25, 29-39, 43-53 and 57 are allowable.

Therefore, the present application, as amended, overcomes the rejection of record and is in condition for allowance. Favorable consideration of this application is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (301) 601-7252 so that such issues may be resolved as expeditiously as possible. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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